

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

WYNDHOLME VILLAGE, LLC, et al., *

Plaintiffs and Counter-Defendants *

v. * Civil Action No. L01-3809

NADIF OF WYNDHOLME, LLC, et al.,*

Defendants and Counter-Plaintiffs *

* * * * *

MOTION TO AMEND COMPLAINT

Now come Plaintiffs, Wyndholme Village, LLC, James M. Lancelotta and Katherine A. Lancelotta, by their attorneys, Howard J. Schulman and Schulman & Kaufman, LLC, pursuant to Fed.R.Civ.Pro. 15, and request permission of the Court to amend the Complaint:

1. Plaintiffs seek to amend the Complaint in the form attached hereto. The proposed Amended Complaint adds three new counts, all essentially based on the allegations in Count I.

2. The Amended Complaint adds no substantive allegations except for the types of relief requested. The Complaint, as originally filed, consists of one uncaptioned count, seeking damages. The Amended Complaint adds three new counts, based on the same substantive allegations of the original Complaint, requesting equitable relief, albeit on the basis that Plaintiffs do not have an

adequate remedy at law.

3. Defendants' counsel did not consent to the Amended Complaint.

WHEREFORE, for the aforementioned reasons, Plaintiffs respectfully request the Court to permit Plaintiffs to amend their Complaint.

HOWARD J. SCHULMAN
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100 N. Charles Street
Baltimore, Maryland 21201
(410) 576-0400
Attorney for Plaintiffs and
Counter-Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of April, 2003, a copy of the foregoing Motion to Amend Complaint was mailed first-class, postage prepaid, to Stuart C. Fisher, 173 Root Trail, Palm Beach, Florida 33480.

HOWARD J. SCHULMAN